



Mauritania

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Mauritania is a highly centralized Islamic Republic dominated by a strong presidency. The Constitution provides for a civilian government composed of a dominant executive branch, a senate, and a national assembly. President Maaouya Ould Sid'Ahmed Taya has governed since 1984, first as head of a military junta, and since 1992 as head of an elected civilian government. The President heads the ruling Republican Social Democrat (PRDS) party. Taya was reelected President with more than 90 percent of the vote in 1997 elections widely regarded as fraudulent. The next presidential elections are scheduled for 2003. The banning of two opposition parties during the year diminished the opposition's gains in the 2001 municipal and National Assembly elections, considered generally fair and transparent following the introduction of hard-to-falsify voter identification cards and published, revised voter lists. Under the Constitution's indirect electoral process, one opposition candidate succeeded in the April Senate elections. The Constitution provides for an independent judiciary; however, the judiciary was subject to significant pressure from the executive through its ability to influence judges.

The civilian authorities maintained effective control of the security forces, which included the regular armed forces, the National Guard, the Gendarmerie, and the police. The Ministry of Defense directed the armed forces and Gendarmerie; the Ministry of Interior directed the National Guard and police. The armed forces were responsible for national defense. The National Guard performed police functions throughout the country in areas in which city police were not present. The Gendarmerie was a specialized paramilitary group responsible for maintenance of civil order in and outside metropolitan areas. Some members of the security forces committed human rights abuses.

The country had an estimated population of 2.7 million and had a market-oriented economy. Drought, desertification, and insect infestation have contributed to rapid urbanization, extensive unemployment, pervasive poverty, and a burdensome foreign debt. The Government was slow in implementing social programs identified in a 2000 Poverty Reduction Strategy Paper, which set targets for using debt relief proceeds to generate private sector development and improved access to education and health care for all segments of society in all parts of the country. The concentration of much of the country's wealth in the hands of a small elite, including the President's tribe and related Moor tribes, as well as a lack of transparency and accountability in certain areas of governance, impeded economic growth. The country received foreign assistance from bilateral and multilateral sources.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Democratic institutions remained rudimentary, and the Government circumscribed citizens' ability to change their government. There were fewer reports that police used undue force in controlling crowds or demonstrations. Some members of the security forces used excessive force, beat, or otherwise abused detainees, and used arbitrary arrest and detention and illegal searches; however, there were no reports of killing by security forces. The Government failed to bring to justice officials who committed abuses, and impunity remained a problem. Prison conditions were harsh. Pretrial detention continued; however, the length of pretrial detentions was shorter due to improved organization of the courts. The Government continued its program of judicial reform and training; however, the right to a fair trial was not always realized. At times the Government restricted freedom of speech and of the press. The Government restricted freedom of assembly, and limited the freedoms of association and religion. The Government banned two political parties. The Government continued to refuse to recognize officially some nongovernmental organizations (NGOs) and human rights organizations. Discrimination against women continued, and female genital mutilation (FGM) remained a serious problem despite government efforts to halt the practice. Ethnic tensions continued to ease, but the largely southern-based ethnic groups, including the Halpulaar (also called Fulani or Peuhl), Soninke, and Wolof, remained underrepresented in political life and some of their members felt excluded from effective political representation. Child labor in the informal sector was common. There continued to be reports that slavery in the form of forced and involuntary servitude persisted in

some isolated areas, that unofficial, voluntary servitude persisted, and that former slaves continued to work for former masters or others.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

There was no development in the case of the 2001 killing of a Senegalese fisherman.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and other forms of cruel or inhuman punishment; however, there were reports that police beat criminal suspects in custody. There were fewer reports that police used undue force in controlling public crowds or breaking up demonstrations that took place (see Section 2.b.).

In April police detained for several days, but eventually released uncharged Mohamed Baba Ould Said, Bechir Ould Moulaye El Hassen, Mohamed Fall Ould Oumer, and Mohamed Salem Ould Ahlou Ould Sidi Yaaraf primarily for conducting activities on behalf of the overseas-based organization "Conscience and Resistance" that opposed the Government. In June Ould Said filed a complaint in French courts alleging police tortured him during his detention. Within days of release Ould Sidi Yaaraf, in a conversation with leader of the NGO SOS Esclaves, Boubacar Ould Messaoud, and others alleged that police had tortured him. Ould Messaoud publicized the allegation and was arrested but released unharmed (see Section 1.d.). The Government produced a document Yaaraf signed denying the allegation; however, reliable reports indicated that Yaaraf signed the document under duress. Based on the document and a doctor's statement, the Government denied torturing Yaaraf; however, it did not conduct an investigation by year's end.

There were no developments in the July 2001 beating of two persons detained in Aioun.

In October a French court refused a motion to dismiss judicial proceedings that continued in absentia against Captain Ely Ould Dah, a Black Moor charged with torturing in Mauritania in 1990 and 1991 two Halpulaar who later gained political refugee status in France.

Prison conditions remained harsh; however, serious overcrowding in Nouakchott's prison no longer was a problem. In other prisons, serious overcrowding persisted and sanitation facilities remained inadequate and reportedly contributed to diseases such as tuberculosis, diarrhea, and dermatological ailments. Medical supplies, mainly provided by an international NGO, remained insufficient in all prisons. Prisoners with high-level government connections and families to bring them food, medicines, and reading material fared better than the less privileged or citizens from other countries. Budget allocations to improve food and nutrition, medical services and supplies, and new bedding and cleaning supplies were not sufficient, and there were no improvements to prison food, health, hygiene, and family contacts during the year. New guard force management continued to enforce regulations against beatings and torture; however, there were reports of beatings of detainees at the Commissariat outside the Nouakchott prison. The overall prison capacity was 700 and the prison population was 1,397 in September. The prison population in Nouakchott was 584 persons. There were 534 men, 26 women, and 24 minors; minors were held in separate facilities.

Female prisoners have separate facilities with a communal garden. Children of female prisoners remained with their mothers or the Ministry of Justice gave temporary custody of the children to another family member. The Noura Foundation, an NGO working in the prison, continued to provide a program of education and microenterprise projects to the female prisoners. UNICEF, in collaboration with the French organization CARITAS, provided increased services, including training and sports in the juvenile detention centers. The Government cooperated with an NGO to provide training for female guards who worked at the women's prison. A doctor and nurse assigned to the men's prison also provided medical care for the women's and children's prison, but the

infirmary remained understaffed.

Pretrial detainees generally were held separately from convicted prisoners; however, at times they were held with prisoners.

The Government permitted prison visits by NGOs, diplomats, and international human rights observers. Foreign diplomats visited some prisons during the year. The International Committee of the Red Cross (ICRC) had access to prisons, but did not conduct prison visits during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, police arbitrarily arrested and detained citizens. The application of the constitutional safeguards continued to vary widely from case to case. The law requires that courts review the legality of a person's detention within 48 hours of arrest. The police may extend the period for another 48 hours, and a prosecutor or court can detain persons for up to 30 days in national security cases. Only after the prosecutor submitted charges did a suspect have the right to contact an attorney. There was a provision for granting bail, but it was used rarely.

Security forces continued to use arbitrary arrest, detention, and intimidation against opposition parties and others. In May police detained but released uncharged the leader of the unrecognized NGO SOS Esclaves after he publicized the alleged torture of Mohamed Salem Ould Ahlou Ould Sidi Yaaraf (see Section 1.c.).

In November security forces arbitrarily arrested, detained, and released uncharged seven persons who refused to allow a local businessman to drill a well on communal lands near Kaedi.

Unlike in the previous year there were no reports that police arrested members of the banned opposition party Union of Democratic Forces-New Era (UFD-A).

Human rights activists reported that police showed greater respect for legally mandated procedures and that prison administration continued to show improvement; however, pretrial detention after arraignment often was prolonged. An estimated 15 to 20 percent of those in prison had not yet been tried, or were awaiting sentencing following their trials. Some indicted detainees were released before trial without explanation; familial, tribal, or political connections could explain some of these cases.

There is no provision in the law regarding exile; however, there were no reports of forced exile during the year. The Government continued to welcome the return of any citizens who had been expelled or who had fled from 1989-91.

e. Denial of Fair Public Trial

The Constitution provides for the independence of the judiciary; however, in practice the executive branch exercised significant influence over the judiciary through its ability to appoint and pressure judges. In addition, poorly educated and poorly trained judges who were susceptible to social, financial, tribal, and personal pressures limited the judicial system's fairness.

There was a single system of courts with a modernized legal system that conformed with the principles of Islamic law (Shari'a). Departmental, regional, and labor tribunals were the courts of first instance at the lower level. The 53 departmental tribunals, composed of a president and magistrates with traditional Islamic legal training, heard civil cases involving sums less than \$39 (10,000 ouguiya) and family issues, such as domestic, divorce, and inheritance cases. A total of 13 regional tribunals accepted appeals in commercial and civil matters from the departmental tribunals and heard misdemeanors. Three labor tribunals, composed of a president and two assessors (one who represented labor and one who represented employers), served as final arbiters for labor disputes. At the middle level, three courts of appeal, each with two chambers (a civil and commercial chamber, and a mixed chamber,) heard appeals from the regional courts and had original jurisdiction for felonies.

The Supreme Court nominally was independent and was headed by a magistrate appointed to a 5-year term by the President. The Supreme Court reviewed decisions and rulings made by the courts of appeal to determine their compliance with the law and procedure. Constitutional review was within the purview of a six-member Constitutional Council, composed of three members named by the President, two by the National Assembly President, and one by the Senate President. Annual review of judicial decisions was undertaken by the Supreme Council of Magistrates, over which the President presided; the president and senior vice president of the Supreme

Court, the Minister of Justice, three magistrates, and representatives from the Senate and National Assembly were members of this Council. The annual review was intended to determine whether courts applied the law correctly and followed proper procedures. Reviews also served as a basis for evaluating the reform process and reassigning judges based on their qualifications.

The minimum age for children to be tried was 12. Those between the ages of 12 and 18 were tried and sentenced to the juvenile detention center (see Section 1.c.). There was a special court to hear the cases of children under the age of 18. Children appearing before the court received more lenient sentences than did adults, and extenuating circumstances received greater consideration in juvenile cases.

With international assistance, the Government continued a program to improve judicial performance and independence, which consisted of organizing all laws and statutes into a single reference text and training officials throughout the justice system. Separate tribunals for specific types of disputes held court sessions more frequently. The Government continued to hold security officials accountable and prosecuted officials for abuses, which has improved the public perception of the judicial system.

The Constitution provides for due process and the presumption of innocence until proven guilty by an established tribunal. All defendants, regardless of the court or their ability to pay, had the legal right to representation by counsel during the proceedings, which were open to the public. If defendants lacked the ability to pay for counsel, the court appointed an attorney from a list prepared by the National Order of Lawyers, which provided a defense free of charge. The law provides that defendants may confront witnesses, present evidence, and appeal their sentences, and these rights generally were observed in practice.

Shari'a provides the legal principles upon which the law and legal procedure are based, and because of the manner in which Shari'a was implemented in the country, courts did not treat women as the equals of men in all cases (see Section 5).

Members of the opposition party FP claimed that party leader Mohamed Lemine Ch'bih Ould Cheikh Malainine was a political prisoner and that his June 2001 conviction for conspiracy was a charade (see Section 1.d.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law requires judicial warrants in order to execute home searches; however, the authorities reportedly often ignored this requirement.

Government surveillance of dissidents and the political opposition was believed to continue; however, the extent to which the Government used informants was unknown.

There were a number of reports that some government officials misappropriated land under the land reform system, confiscating the land of southern ethnic groups or the land traditionally held by Haratines and distributing it to their own friends and family (see Section 6.c.). The land reform law was to provide land for rural landless persons, including White and Black Moor victims of desertification in the northern and central regions and for returning southerners who had been expelled from 1989 to 1991. The reform aimed to increase the amount of land under cultivation by leasing uncultivated land to those with the means to cultivate it. However, there may have been a net redistribution of land from southerners and Haratines to White Moors under that program, since the south has been affected less by desertification than the more northerly regions historically inhabited by the Moors. Anecdotal evidence suggested that no more than 20 percent have received land.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government continued to restrict these rights through prepublication press censorship by the Interior Ministry. Two daily newspapers, Horizons and Chaab, and all broadcast media (radio and television) were government-owned and operated. NGOs and the privately owned press openly criticized the Government and its leaders. Antigovernment tracts, newsletters, and petitions circulated widely in Nouakchott and other towns.

All newspapers must register with the Ministry of the Interior. There were more than 300 journals and newspapers registered with the Ministry of the Interior, more than 200 of which did not publish regularly, including some that

never have published an edition. There only were approximately 25 privately owned newspapers that published on a regular basis. These journals were weeklies and reached limited audiences, printing at most 3,000 copies of any 1 edition. The Government issued press cards to journalists and required that they show this identification for participation in official press events. Publications were exempt from all taxes on materials used to produce newspapers, journals, or books for the private press.

The Press Law requires publishers to submit copies of newspapers to the Ministries of Interior and Justice before distributing them. The Ministry of the Interior reviewed all newspaper copy prior to publication and usually authorized sales and distribution within 2 to 3 days. However, the Press Law provides that the Minister of the Interior can stop publication of material that discredits Islam or threatens national security. During the year, the authorities seized 11 issues of different journals.

There were no developments in the 2000 cases of the banning of the weekly newspaper Al Alam or the Government's suspension of the accreditation of a Middle East Information Agency representative.

Radio was the most important medium in reaching the public, and the official media strongly supported government policies. The Government continued to deny private applications to establish domestic radio stations. During the October 2001 legislative and municipal election campaign, the Government provided all candidates with equal access to its two newspapers and to the electronic media, allowing citizens to hear and read criticism of the Government in these media, as well as in the private press. Opposition parties' access to government radio broadcast facilities at other times was limited.

Using satellite receivers and dish antennas, citizens could receive worldwide television broadcasts.

There were three domestic Internet service providers, which operated without governmental restrictions. Internet connections existed in Nouadhibou, the major commercial center, and ten other regional capitals. Some private newspapers also maintained websites, which the Government did not censor.

The Government did not restrict academic freedom, and there were no cases in which the Government prevented research or publication or censored lectures. The country's one university was government-funded and operated.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government restricted this right in practice. The law requires that all recognized political parties and NGOs apply to the local prefect for permission for large meetings or assemblies. In April the Government temporarily banned all public demonstrations and refused to grant permits to demonstrators in response to widespread demonstrations on the situation in the Middle East.

There was no action taken against authorities who used force to disperse demonstrations in April 2001, July 2001, April 2000, November 2000, and December 2000.

The Constitution provides for freedom of association; however, the Government limited this right in practice and circumscribed the efforts of some groups by denying them official recognition. All political parties must register with the Ministry of the Interior. The number of political parties and labor unions remained the same. At least 15 political parties and a wide array of NGOs, many of them highly critical of the Government, functioned openly, issued public statements, and chose their own leadership; however, the Government has banned or refused to authorize several parties. The Government did not recognize any new NGOs or associations during the year; however, there were more than 600 such organizations in the country. The Government has not yet granted some NGOs official standing but did not prevent them from functioning. Among these were the Mauritanian Association for Human Rights (AMDH) and SOS-Esclaves (an antislavery NGO), which the Government claimed potentially were divisive in that they appealed to specific ethnic groups, namely the southern and Black Moor communities.

In January the Government banned the Action for Change (AC) party, claiming it incited racism and violence and attempted to disrupt national unity; however, the four AC deputies elected in October 2001 retained their seats as independents. In August the Government refused to authorize the new Convention for Change (CC) party, citing constitutional prohibitions against ethnic-based parties; CC organizers asserted the party was not ethnic-based. The UFD-A, the major opposition party remained banned at year's end.

The Taliaa (Vanguard) party also remained banned at year's end because of "cooperation with a foreign party, accepting foreign funds for political propaganda, and carrying out illegal acts."

In June the Government interfered in the election of the head of the National Order of Lawyers by manipulating procedures, exerting influence on certain members of the organization, and using police to restrict access to the organization's meetings.

In October the Government pressured the management of a Nouakchott hotel to deny accommodations for a meeting of opposition parties; the meeting took place at a different location.

In December the Government prevented a lawyer opposed to the Government's interference in these activities from holding a press conference at a Nouakchott hotel.

c. Freedom of Religion

The Constitution establishes the country as an Islamic republic and decrees that Islam is the religion of its citizens and the State; the Government limited freedom of religion. However, Christians in the foreign community and the few Christian citizens practiced their religion openly and freely.

The Government did not register religious groups; however, NGOs had to register with the Ministry of the Interior (see Section 2.b.); this included humanitarian and development NGOs affiliated with religious groups.

Although there is no specific legal prohibition against proselytizing by non-Muslims, in practice the Government prohibited proselytizing by non-Muslims through the use of Article 11 of the Press Act, which bans the publication of any material that is against Islam or contradicts or otherwise threatens Islam. However, there were no reports that the Government punished persons for violating Article 11 during the year. The Government views any attempts by Christians to convert Muslims as undermining society; however, the Government also restricted suspected Islamic extremists. In November and December, the Government attempted to identify the authors of tracts warning possible proselytizers to stop their activities, and halted the circulation of the tracts. There were no known non-Muslim groups engaging in proselytizing, and foreign Christian NGOs limited their activities to humanitarian and development assistance.

Under Article 11, the Government may restrict the importation, printing, or public distribution of Bibles or other non-Islamic religious literature, and in practice Bibles neither were printed nor publicly sold in the country. However, the possession of Bibles and other Christian religious materials in private homes was not illegal, and Bibles and other religious publications were available among the small Christian community.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice; however, in some regions, persons lacking identity cards could not travel freely.

For several years, the Government set up roadblocks where gendarmerie, police, or customs officials checked the papers of travelers and often demanded bribes. During the year, the Government generally maintained fewer roadblocks than in previous years, and reduced the time taken in questioning and conducting vehicle searches. There were fewer reports of more stringent searches in the southern border areas. However, the number of roadblocks throughout the country increased temporarily in December without explanation.

Of the approximately 70,000 members of largely southern-based ethnic groups who were expelled by the Government or fled to Senegal and Mali during the 1989-91 crisis, almost all have returned or resettled in those countries. The Government has stated since 1993 that any citizen outside the country may return; however, the Government, the countries of asylum, and the U.N. High Commissioner for Refugees (UNHCR) have signed no tripartite repatriation agreements. The UNHCR estimated that there were between 15,000 and 20,000 refugees remaining in Senegal, although refugees have continued to return independently in small numbers and have benefited from small-scale agroforestry, health, and sanitation projects continued by NGOs and humanitarian workers.

Cooperation by local authorities in addressing restitution and citizenship matters varied greatly, depending on individual officials and the returnee's region. Repatriation efforts achieved greater results in the Trarza and Brakna regions than in Gorgol and Guidimaka to the east; however, observers noted that the situation in Gorgol improved considerably. Many returnees received their original homes, some property, and all or a portion of their land (see

Section 1.f.). Timely restoration of identity papers varied, and some of those who returned in 1995 have not yet received identification cards. In some regions, persons lacking identity cards could not travel freely.

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, in practice the Government accepted the UNHCR recommendations on the granting of asylum and refugee status. The Government cooperated with the UNHCR and other humanitarian organizations in assisting refugees. In recent years, the Government has provided first asylum to refugees from neighboring countries including Liberia, Sierra Leone, Senegal, Cote d'Ivoire, Mali, and Guinea-Bissau. The Government also has accepted the UNHCR's registration of approximately 200 asylum seekers, mostly from Sierra Leone and Liberia.

The country hosted more than 50,000 nationals of other West African countries who sought refuge and employment, primarily in Nouakchott and Nouadhibou. An estimated 60 percent of the country's small craft fishermen were Senegalese. There was a population of approximately 300 Sierra Leoneans living in Nouakchott. Some arrived more than 10 years ago and were employed fully. Approximately 225 of these have been granted refugee status and received UNHCR assistance.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government; however, the Government restricted this right in practice. Although civilians occupied all ministerial-level positions, some members of the Military Council that ruled from 1984 to 1992, in addition to President Taya, remained in positions of power within the executive branch, the National Assembly, the armed forces, and government-owned enterprises.

President Taya won an overwhelming victory in the 1997 presidential election, although his opponents did better in the cities than in the rural areas. The official turnout of 75 percent and the winning percentage of 90 percent were inflated, because many individuals voted more than once. The Government distributed four voter registration cards to some persons, including government employees, instructing them to vote repeatedly for the incumbent. The opposition also distributed multiple voter registration cards to some persons, instructing them to vote repeatedly. The outcome of the election was marred by fraud on all sides, including pervasive government intervention to support candidates from the ruling party. The election was boycotted by a coalition of four opposition parties that had demanded enhanced media access, an opposition role in election preparation, creation of an independent electoral commission, enlargement of the commission charged with revision of the electoral list, and provision of official copies of the voting report from each polling station to representatives of each candidate. During the election campaign, the Government granted the opposition access to the official media, but did not meet the other demands. The next presidential elections are scheduled for 2003.

One-third of the Senate was elected by the indirect balloting of municipal councils every 2 years; the latest elections were held in April for 19 of the 56 seats. The elections generally were well organized; however, international observers noted that Government manipulations weakened the chances for opposition candidates. In contrast to the boycotts and limited participation in the 2000 Senate elections, six opposition parties ran candidates, and no parties boycotted the April elections. For the first time, an opposition (Rally for Democracy - RFD) candidate was elected to the Senate. In addition, two women also were elected to the Senate.

In October 2001 legislative and municipal elections, 15 opposition parties presented candidates for election. The Government introduced a hard-to-falsify voter identification card, revised and published all voter registration lists, used transparent ballot boxes, and allowed full access for a representative of each party to observe the entire voting process, including ballot counting, in every precinct. However, due to resource constraints, not all parties sent observers to all polling stations. No visiting international groups observed the elections, but foreign diplomats and local observers noted that the elections generally were fair and transparent with some irregularities, such as voters casting ballots at two different polling stations in a small number of precincts. Security forces avoided involvement in politics; by law members of the military must resign if they wish to participate in partisan politics. Except during the election campaign, the Government denied the political opposition full access to government media or the ability to compete on an equal footing (see Section 2.a.). The FP party, which opposes diplomatic relations between the country and Israel, gained one seat in the legislative elections, and eight municipal council seats either outright or in coalition with other parties.

The country is divided into 13 provinces, including the capital district of Nouakchott; each province is divided into prefectures. The Government appointed the Walis (governors) and Hakems (prefects). Municipal councils were

elected by general ballot, and they elected their mayors, usually the lead candidate of the majority party's list. Most government services were provided by the central government. The elected councils were responsible for some public services such as sanitation and had fiscal autonomy and taxing authority. Their administrative staff was independent of the Government. The councils elected the national Senate.

Women have the right to vote and formed the majority of voters in the October 2001 elections. Women occupied some senior government positions: Four cabinet-level posts including the cabinet-level post in charge of information, one secretary-general post, and two senior presidential advisors (including a Haratine). In addition, for women served as senior advisors to ministers. Women were well represented in the Secretariat of Women's Affairs, including a number from minority ethnic groups. There were 4 women in the 81-seat National Assembly and 3 women in the 56-seat Senate. A total of 3 of the 14 members of the Executive Bureau of the ruling PRDS were women, and a woman headed the UDP party, a part of the ruling coalition.

Minorities such as the Haratines, Halpulaars, Soninkes, and Wolofs were underrepresented in senior government positions. Of the Government's 20 ministerial posts, 2 incumbents were Haratine, 2 were Halpulaar, and 1 was Soninke; the remaining 15 were of either White Moor or mixed White Moor/Haratine ethnicity (see Section 5). The full 27-member Cabinet, including secretaries of state, had 3 Haratines, 3 Halpulaars, and 1 Soninke. The 56-member Senate had 3 Haratines, 4 Halpulaars, 3 Soninkes, and the remaining 46 were of either White Moor or mixed White Moor/Haratine heritage. The 81-member National Assembly had 9 Haratines, 8 Halpulaars, 2 Soninkes, and 2 Wolof.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There were three human rights organizations concerned with overall human rights issues. The oldest was the Mauritanian League for Human Rights (LMDH), an independent, government-recognized body. A second organization, the AMDH, still was unrecognized (see Section 2.b.). While not affiliated with the opposition, the AMDH had many opposition members. The AMDH was more critical of the Government than the LMDH, particularly on the unresolved abuses of the 1989-91 period. The International Study and Research Group on Democracy and Economic and Social Development in Africa (GERDDES-Africa) has not been recognized officially. The Government has not responded to the applications of these organizations on the grounds that they were ethnically based organizations that were divisive and in violation of the law; however, the unrecognized organizations continued to carry out their activities unimpeded. The Government was responsive to NGOs.

Other organizations, including 14 unregistered associations, also addressed human rights issues. Two groups, SOS-Esclaves and the National Committee for the Struggle Against the Vestiges of Slavery in Mauritania, focussed their efforts on overcoming the country's vestiges of slavery (see Section 6.c.). SOS-Esclaves particularly was active in claiming that slavery remained pervasive and appealing to national and international audiences to contribute to its eradication. SOS-Esclaves leader Boubacar Ould Messaoud and other SOS-Esclaves members traveled abroad freely during the year and made such claims during speaking tours. In November Amnesty International published a report urging the Government to implement more practical measures to counteract the vestiges of slavery.

The Committee of Solidarity with the Victims of Repression in Mauritania was concerned with the plight of the 1989 expellees. The Consultative Group for the Return of the Refugees was founded to promote the return of the remaining refugees in Senegal. The Collective of Worker Victims of the 1989 Events sought redress for government employees who lost their jobs in the events of 1989. The Committee of the Widows and the Collective of Survivors focused on the sufferings of the victims of the 1990-91 military purge and their families. The Collective of Survivors of Political Detention and Torture sought redress for abuses committed during the 1986-87 period. These groups and other groups of individuals with common concerns functioned openly and actively, but their efforts were circumscribed somewhat because they were not recognized officially (see Section 2.b.). The Coalition of Human Rights NGOs was an umbrella organization for 12 of these organizations; it represented the group in various forums, including representations to foreign embassies.

The only international association concerned with human rights to visit the country during the year was the ICRC, which makes routine annual visits. The Executive signed the legislation in July 2000 governing the procedures and conditions under which international NGOs could conduct business in the country; however, regulations still were not implemented by year's end. This legislation would facilitate the legal right for NGOs to conduct their work by providing for duty free imports, licensing of vehicles, and other provisions. Some international development NGOs operated under direct agreements with the Government, but most have been working without governing regulations.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for equality before the law for all citizens, regardless of race, national origin, sex, or social status, and prohibits racial or ethnic propaganda. In practice the Government often favored individuals on the basis of ethnic and tribal affiliation, social status, and political ties. Societal discrimination against women, strongly rooted in traditional society, was endemic, although the situation continued to improve.

Women

Abuse and domestic violence is illegal, and, human rights monitors and female lawyers reported that domestic violence was rare, particularly among the Moor population. The police and judiciary occasionally intervened in domestic abuse cases, but women in traditional society rarely sought legal redress, relying instead upon family and ethnic group members to resolve domestic disputes. Rape, including spousal rape, is illegal, but there were no known arrests or convictions under this law. The incidence of reported rape was low; it occurred, but newspaper accounts of attacks were rare.

Traditional forms of mistreatment of women continued, mostly in isolated rural communities, but these practices appeared to be on the decline. One form of such mistreatment was the forced feeding of adolescent girls (gavage), which was practiced only among the Moors. While there was no law prohibiting gavage, the Government made it a policy to end the practice. Experts previously estimated that between 60 and 70 percent of women experienced gavage but concluded that very few Moor women continued to experience gavage.

FGM was practiced among all ethnic groups except the Wolof. It was performed most often on young girls, often on the 7th day after birth and almost always before the age of 6 months. Among Halpulaar women, more than 95 percent underwent FGM. Results of a foreign-funded study indicated that 66 percent of those who performed FGM recognized that the practice was detrimental to women's health, and 54 percent of imams agreed that the practice was dangerous. Local experts agreed that the least severe form of excision was practiced, and not infibulation, the most severe form of FGM. The practice of FGM has decreased in the modern urban sector.

The Government continued intensive media and educational campaigns against FGM during the year. It was a clear public policy of the Government, through the Secretariat of Women's Affairs, that FGM should be eliminated, and the Government barred hospitals from performing it. Public health workers and NGOs educated women on the dangers of FGM, emphasizing FGM was not a requirement of Islam. According to several women's rights experts, the campaign against FGM appeared to be changing attitudes towards the practice.

Women have legal rights to property and child custody, and, among the more modern and urbanized population, these rights were recognized. By local tradition, a woman's first marriage, but not subsequent marriages, required parental consent. In accordance with Shari'a as applied in the country (see Section 1.e.), marriage and divorce did not require the woman's consent, polygyny was allowed, and a woman did not have the right to refuse her husband's wish to marry additional wives. In practice polygyny was very rare among Moors but was common among other ethnic groups. Arranged marriages also increasingly were rare, particularly among the Moor population. Women frequently initiated the termination of a marriage, which most often was done by repudiation of husband or wife rather than divorce. It also was common in Moor society for a woman to obtain, at the time of marriage, a contractual agreement that stipulated that her husband must agree to end their marriage if he chose an additional wife. The rate of divorce among Moors was 37 percent, and the remarriage rate after divorce was 72.5 percent.

Women still faced legal discrimination (see Section 1.e.). The testimony of two women was necessary to equal that of one man. In addition to awarding an indemnity to the family of a woman who has been killed, the courts would grant only half the amount that they would award for a man's death. For commercial and other modern issues not addressed specifically by Shari'a, the law and courts treated women and men equally. The Personal Status code provides a framework to regularize the prevailing Shari'a-based family law, which without defining legislation had been applied unfairly. For example, formulas applied to property distribution varied widely from case to case. In addition, the validity of and right to establish prenuptial agreements was not respected always. However, women did not face legal discrimination in areas not addressed specifically by Shari'a. The law provides that men and women receive equal pay for equal work. While not applied universally in practice, the two largest employers, the civil service and the state mining company, respected this law. In the modern wage sector, women also received family benefits, including 3 months of maternity leave.

The Government sought to open new employment opportunities for women in areas that traditionally were filled by men, such as health care, communications, police, and customs services. Women became more involved in the

fishing industry and established several women's fishing cooperatives. In 2000 the first female Acting Police Commissioner was appointed in the capital and also began serving as Chief Investigator in the same police station. In 2000 approximately 70 jurists and female lawyers established an association of female jurists.

The Secretariat for Women's Affairs worked with many NGOs and cooperatives to improve the status of women. The Government, women's groups, and national and international NGOs organized meetings, seminars, and workshops throughout the year to publicize women's rights.

Children

The law makes special provision for the protection of children's welfare, and the Government had programs to care for abandoned children; however, these programs were hampered by inadequate funding. The Government relied on foreign donors in such areas as child immunization.

The Government required attendance at school for 6 years, but full implementation of universal primary education was not scheduled to be completed until at least 2007, primarily because the Government lacked the financial resources to provide educational facilities and teachers throughout the country, especially in remote areas. Education received the largest share of the national budget at 13.5 percent. There only was a slight increase in attendance from the previous year, in which the school enrollment rate was 86.5 percent. There were no legal restrictions on the education of girls. Girls constituted 48.8 percent of all children enrolled in school in 1998. An estimated 84 percent of school-age girls attended elementary school in 1998 and 1999 compared with 88 percent for boys. At the secondary level, female students constituted 37.4 percent of those enrolled. Despite these increases, enrollment in the eastern part of the country, the Brakna, and along the Senegal River remained at a lower level. Female students made up 17 percent of the university's 1998-99 enrollment. Female students also constituted 30.5 percent of students enrolled in technical schools. The literacy rate for women was 36 percent, compared with 50 percent for men. Almost all children, regardless of sex or ethnic group, attended Koranic school between the ages of 5 and 7 and gained at least rudimentary skills in reading and writing Arabic (see Section 2.c.).

FGM was performed commonly on young girls (see Section 5, Women).

Local NGOs estimated that there were more than 250 street children; however, the Government has implemented a program to assist families with street children and to encourage their school attendance.

Persons with Disabilities

The law does not provide specifically for persons with disabilities, and the Government does not mandate preference in employment or education or public accessibility for persons with disabilities; however, it did provide some rehabilitation and other assistance for persons with disabilities. NGOs increasingly have become active in raising public awareness of issues affecting persons with disabilities. The school for the deaf and the blind in Nouakchott operated 6 classrooms and enrolled 31 students (18 girls and 13 boys) during the year; however, the school lacked sufficient trained staff.

There was no societal discrimination against persons with disabilities.

National/Racial/Ethnic Minorities

Ethnic minorities and low-caste individuals--such as members of the blacksmith and musician castes--among all ethnic groups faced societal discrimination. Ethnic and cultural tension and discrimination arose from the geographic and cultural line between traditionally nomadic Arabic-speaking (Hassaniya) Moor herders and Peuhl herders of the Halpulaar group in the north and center, and sedentary cultivators of the Halpulaar (Toucouleur), Soninke, and Wolof ethnic groups in the south. Although culturally homogeneous, the Moors were divided among numerous ethno-linguistic clan groups and were distinguished racially as Beydane and Haratine, or White Moors and Black Moors, although it often was difficult to distinguish between the two groups by skin color. The majority of those known as Black Moors were Haratine, literally meaning "one who has been freed," although some Black Moor families never were enslaved. "White" Moors, large numbers of whom were dark-skinned after centuries of intermarriage with members of sub-Saharan African groups, dominated positions in government and business. The Haratine have remained politically weak and disorganized; poverty, migrations, and isolation of their communities have prevented the Haratine from realizing the political power inherent in their numbers. The Halpulaar (the largest non-Moor group), the Wolof, and the Soninke ethnic groups were concentrated in the south and were underrepresented in the military and security sectors.

The Constitution designates Arabic, Pulaar, Soninke, and Wolof as the country's national languages; however, successive governments--both civil and military--have pursued various policies of "Arabization" in the schools and in the workplace. Non-Arabic-speaking ethnic groups have protested this policy, as have Arabic-speaking groups that want their children to obtain a bilingual Arabic-French education.

A number of accounts indicated that redistribution of southern farmland to Moors since the acceleration of desertification in the 1970's has contributed to tensions between Moors and southern-based ethnic groups. Although much of the Government's redistribution of land has been from southerners to southerners, some Moors have been resettled in the south (see Section 1.f.). Ethnic tensions surfaced dramatically in the mass expulsions of southern-based ethnic groups--mostly Halpulaars--in 1989 and 1990 and the purge of Halpulaars from the military in 1991. An upsurge of Arab nationalism among White Moors during the 1980s contributed to ethnic violence precipitated by a dispute with Senegal during 1989-91; this violence entailed the expulsion or flight of many non-Moors living in the south and occupation of much of their land by Moors, including Black Moors. Interethnic bitterness and hostility persisted, and continued to be aggravated by climatic, land, and population pressures.

Ethnic rivalry significantly contributed to political divisions and tensions. Some political parties tended to have readily identifiable ethnic bases, although political coalitions among them increasingly were important.

A number of accounts suggest that some members of the long-dominant White Moor community, which traditionally enslaved darker skinned groups, may continue to expect or desire servitude on the part of members of the generally darker-skinned Black Moors and southern ethnic groups, and that such attitudes may impede efforts to build a nondiscriminatory society and to eliminate the vestiges of slavery and consequences of slavery, goals to which both the Government and major opposition parties were committed. There were indications that racism on the part of some White Moors may have contributed both to the persistence of such vestiges and consequences of past White Moor enslavement of Black Moors, and to the expulsions and reported dispossession of members of darker southern ethnic groups with no tradition of servitude to the White Moors. However, southern-based ethnic groups and Black Moors have manifested little racial solidarity socially or politically, and racial differences did not contribute either to historical slavery or to the persistence of its vestiges and consequences among southern-based ethnic groups.

The legacy of caste distinctions continued to affect the status and opportunities available to various groups. For example, in some groups, individuals of a higher caste who sought to marry someone of a lower caste could be barred by their families or by the community, and in Soninke communities members of the slave caste could not be buried in the same cemetery as other castes.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for freedom of association and the right of citizens to join any labor organization. All workers except members of the military and police were free to associate in and establish unions at the local and national levels. The majority of the labor force was in the informal sector, with most workers engaged in subsistence agriculture and animal husbandry; only 25 percent were employed in the wage sector. However, nearly 90 percent of industrial and commercial workers were organized.

The Labor Code does not restrict trade union pluralism, and there were four labor confederations: The Union of Mauritanian Workers (UTM), the General Confederation of Mauritanian Workers (CGTM), the Free Confederation of Mauritanian Workers (CLTM), and the General Union of Mauritanian Workers (UGTM). The UGTM was the newest, founded in September, and was the most closely allied with the ruling PRDS. Many workers still viewed UTM, the oldest confederation, as also closely allied with the Government and the ruling PRDS. It has lost ground to the CGTM and the CLTM. The CGTM was not affiliated with any party, although most of its members tend to favor the opposition. The CLTM was associated with the AC opposition party. There also were four unaffiliated professionally based labor unions.

The Government provides funds to the confederations in proportion to their memberships. All confederations supplied representatives to the country's four labor tribunals and were included in most government deliberative or consultative bodies. Several independent trade unions, in particular three for teachers at the elementary, secondary, and university levels, also were active.

International trade union activity continued. The Government included CGTM, UTM, and CLTM representatives in its delegation to the International Labor Organization (ILO) in June 2000. The national federations continued to

organize training workshops for their memberships throughout the country. In November the CGTM organized ILO-funded training to educate its members on the fundamental rights of workers, and to reinforce dialog between the Government, trade unions, and employers.

Laws provide workers with protection against antiunion discrimination and employees or employers may bring labor disputes to three-person labor tribunals administered jointly by the Ministries of Justice and Labor with the participation of union and employer representatives.

Unions were free to affiliate internationally. The UTM participated in regional labor organizations. The CGTM and UTM were both members of the International Confederation of Free Trade Unions (ICFTU). The UTM was a member of the Organization of African Trade Union Unity (OATUU), but the CGTM's application was not accepted, as the OATUU only accepts one member federation from each country.

b. The Right to Organize and Bargain Collectively

The law provides that unions may organize workers freely without government or employer interference, although to be legally recognized a union was required to have the authorization of the Public Prosecutor. General or sector agreements on wages, working conditions, and social and medical benefits were negotiated in tripartite discussion and formalized by government decree. Wages and other benefits also could be negotiated bilaterally between employer and union and the results of such negotiations were filed with the Directorate of Labor. Although the Directorate had the ability to change the negotiated settlement between labor and business, there were no known cases of such action during the year.

The law provides workers with the right to strike. Once all parties agree to arbitration, the tripartite arbitration committee may impose binding arbitration that automatically terminates any strike. Strikes in the private sector had to be preceded by submission of a nonconciliation or negotiation-breakdown report. Some trade union representatives state that there was little social dialog except in response to worker actions in a dispute. In October and November, the CLTM and CGTM supported a strike by stevedores at ports and warehouses. The strike ended after negotiations produced a 45 percent wage increase.

The Government in theory can dissolve a union for what it considered an "illegal" or "politically motivated" strike; however, there were no instances in which the Government did this. No unions were disbanded during the year.

The ILO Committee of Experts noted that compulsory arbitration effectively prohibited strikes and asked the Government to bring its legislation into compliance with the requirements of ILO Convention 87 on Freedom of Association and Protection of the Right to Organize; however, there was no government action by year's end.

There are no export processing zones (EPZs); however, the Investment Code approved by the National Assembly in December 2001 provides for the creation of EPZs.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, the law only applies to the relations between employers and workers, and there were reports that such practices occurred. Although not legal, the country had not yet criminalized slavery, therefore there was no legal remedy to prosecute its occurrence. The ILO Committee of Experts has requested that the Government take measures to extend the prohibition to any form of forced labor and vestiges of forced labor.

Citizens continued to suffer the effects and consequences of the practice of slavery and of caste distinctions over generations including the traditional existence of a slave caste in both Moor and southern (black African) communities. Slavery has been abolished officially; however, widespread slavery also was traditional among ethnic groups of the largely nonpastoralist south, where it had no racial origins or overtones; masters and slaves both were black. The south has suffered less from desertification, and some reports identify it as the region in which vestiges and consequences of slavery persisted most strongly.

A system of officially sanctioned slavery in which government and society joined to force individuals to serve masters did not exist. There has been no open trading in slaves for many years; however, there continued to be unconfirmed reports that slavery in the form of forced and involuntary servitude persisted in some isolated areas. Unofficial voluntary servitude persisted, with some former slaves continuing to work for former masters in exchange for monetary or nonmonetary benefits such as lodging, food, or medical care. Many persons, including

some from all ethnic groups, still used the designation of slave in referring to themselves or others. The reasons for the persistence of such practices appeared to be economic, psychological, and religious, although they varied widely between the different ethnic groups. Poverty, persistent drought, and a weak economy provided few economic alternatives for many and left some former slaves vulnerable to exploitation by former masters. There were reports that some former slaves in some sedentary communities have continued to work for their former masters or others without remuneration in order to retain access to the land they traditionally farmed, although the law provides for distribution of land to the landless, including to former slaves, and this law has been enforced in many cases (see Section 1.f.). Deeply embedded psychological and tribal bonds also made it difficult for many individuals who had generations of forebears who were slaves to break their bonds with former masters or their tribes. Some persons continued to link themselves to former masters because of the belief that their slave status had been ordained religiously, and due to fear of religious sanction if that bond was broken.

Adults may not be obliged by law to remain with former masters nor could they be returned if they leave. However, adult females with children faced greater difficulties and could be compelled to remain in a condition of servitude. For example, in some cases, especially where the former master claimed to be the father, former masters refused to allow children to accompany their mothers when the mother left the master. In other cases, the greater economic responsibility of supporting a family may have been the principal impediment to a woman seeking a new life.

Problems related to the vestiges and consequences of slavery usually entered the public domain in judicial cases, most often in the form of child custody and inheritance disputes between former masters and former slaves or their descendants. In most cases involving custody disputes between former masters and former female slaves, the courts have been instructed by the Minister of Justice to rule in favor of the women, and virtually all custody cases that have been tried were decided in favor of the women; however, court adjudication of such cases has been rare. The determination of such cases was problematic because there was polygyny, "secret" marriages, no written records, and divorce by repudiation (see Section 5). In some cases involving land tenure, courts reportedly have not upheld the property rights of former slaves.

NGO positions on the existence of slavery were not uniform. The African Union's (AU) African Commission on Human and People's Rights concluded that slavery did not exist as an institution and that the persistence of vestiges of slavery was the more convincing explanation of social relations. Anti-Slavery International has stated that there was insufficient evidence to conclude whether or not slavery existed, and that an in-depth, long-term study was required to determine whether the practice continued; however, such a study has not been conducted or planned.

Three NGOs--SOS-Esclaves, the National Committee for the Struggle Against the Vestiges of Slavery in Mauritania, and the Initiative for the Support of the Activities of the President--focused on issues related to the history of slavery in the country. SOS-Esclaves particularly was active in bringing to public attention cases in which it found the rights of former slaves to have been abridged and in assisting former slaves in their difficulties with former masters. Other human rights and civic action NGOs also followed this issue closely. The independent press, which included journals that were published by Haratines and southern-based ethnic groups who emphasized issues of importance to these ethnic groups, also was quick to report any incident that came to its attention in which the rights of former slaves were not respected.

The Commissariat for Human Rights, Poverty Alleviation, and Integration's focus was to address the vestiges and consequences of slavery. The Government focused on education, literacy, and agrarian reform as the main means to eradicate the vestiges of slavery and address its consequences. Classes were integrated fully, including boys and girls from all social and ethnic groups. In recent years, the Government's record in cases in which an individual's civil rights were affected adversely because of status as a former slave was poor. When complaints were filed with the Government to remedy cases involving detention of individuals against their will, the Government intervened in accordance with the law, although sometimes only after considerable pressure and the passage of time.

d. Status of Child Labor Practices and Minimum Age for Employment

The law provides that children cannot be employed before the age of 14 in the nonagricultural sector unless the Minister of Labor grants an exception due to local circumstances. The Government had a functional labor inspectorate with the authority to refer violations directly to the appropriate judicial authorities; however, the Government lacked sufficient resources to enforce existing child labor laws.

The law specifies that no child under the age of 13 may be employed in the agricultural sector without the

permission of the Minister of Labor. The law states that employed children between the ages of 14 and 16 should receive 70 percent of the minimum wage, and that those between the ages of 17 and 18 should receive 90 percent of the minimum wage. Young children in the countryside commonly were employed in herding, cultivation, fishing, and other significant labor in support of their families' activities. In keeping with longstanding tradition, many children served apprenticeships in small industries and in the informal sector. There was no child labor in the modern industrial sector.

Children of slave families were allowed to attend school.

e. Acceptable Conditions of Work

The minimum monthly wage for adults was \$38.71 (9,872 ouguiya). The national minimum monthly wage did not provide a decent standard of living for a worker and family.

The standard, legal, nonagricultural workweek could not exceed either 40 hours or 6 days without overtime compensation, which was paid at rates that were graduated according to the number of supplemental hours worked. Domestic workers and certain other categories worked 56 hours per week. The Labor Directorate of the Ministry of Labor was responsible for enforcement of the labor laws, but in practice inadequate funding limited the effectiveness of the Directorate's enforcement.

The Ministry of Labor also was responsible for enforcing safety standards but did so inconsistently, due to inadequate funding. In principle workers could remove themselves from hazardous conditions without risking loss of employment; however, in practice they could not.

The law protects legal but not illegal foreign workers, and foreign workers could join unions.

f. Trafficking in Persons

The law prohibits trafficking in persons, and there were no reports that persons were trafficked to, from, or within the country.